



# COUNTY OF RIVERSIDE

## Transportation and Land Management Agency



Transportation

Planning

Building & Safety

Code Enforcement

Aviation

Salton Sea

October 26, 2020

RHNA Subcommittee  
Southern California Association  
of Governments (SCAG)  
900 Wilshire Blvd, Ste. 1700  
Los Angeles, CA 90017  
Submitted via: [Housing@scag.ca.gov](mailto:Housing@scag.ca.gov)

### **RE: APPEAL OF THE 6<sup>TH</sup> CYCLE REGIONAL HOUSING NEEDS ASSESSMENT ("RHNA") ALLOCATION**

Dear RHNA Subcommittee:

Please accept this appeal of the Riverside County 6<sup>th</sup> Cycle Regional Housing Needs Assessment ("RHNA") allocation based on improper application of the methodology, local planning factors, and a change in circumstances, as described in the enclosed appeal packet and *Appeal Request Form*.

In short, a total housing unit allocation of 40,768 to Riverside County is inappropriate and unrealistic, based on the supporting information provided with this appeal, especially the construction of these units within the eight (8) year planning period for the upcoming 6<sup>th</sup> Cycle Housing Element. The County of Riverside requests correction of the allocation and reallocation of the County's assigned units.

If you have any further questions or need more information, please contact me Robert Flores, Principal Planner by email at [RFlores@rivco.org](mailto:RFlores@rivco.org) or by phone at (951) 955-1195.

Sincerely,

Charissa Leach, P.E.  
Interim Director of Transportation and Land Management Agency  
County of Riverside

#### Enclosures

CC: Board of Supervisors  
Mr. Kome Ajise, SCAG Executive Director  
George Johnson, CEO  
Juan C. Perez, Interim CEO  
Lisa Brandl, COO

## **APPEAL OF THE 6<sup>TH</sup> CYCLE REGIONAL HOUSING NEEDS ASSESSMENT (“RHNA”) ALLOCATION**

The County of Riverside (“Riverside County” or “County”) is one of two Counties that make up the Inland Empire and is bounded by the County of San Bernardino to the north, the State of Arizona to the east, the Counties of San Diego and Imperial to the south, and the County of Orange to the west, as shown on Figure 1.

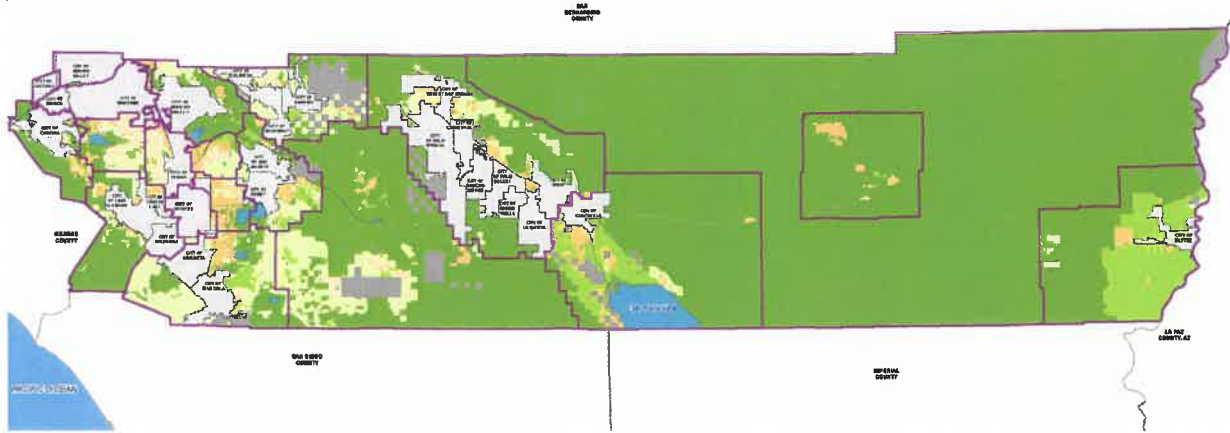


Figure 1 Riverside County Land Use Map

The County’s area currently encompasses 7,200 square miles and includes 28 incorporated cities, including the last four cities that were incorporated in the state of California. The County has a population of 2.47 million people – with only approximately 394,200 people (16%) residing within the unincorporated areas of the County. Most of the unincorporated County is rural in nature, undeveloped agricultural land or open space, with much of the land in federal (including tribal) or state jurisdiction and the remaining land in constrained situations, such as preservation, conservation or sensitive situations (habitat or biological, etc.). Most urban areas in Riverside County are located within incorporated cities.

### **Background**

As indicated in the prior attached comment letters, significant concerns with the 5th cycle RHNA allocations, are now carried into the 6th cycle. As a result of the 5th Cycle of RHNA, the unincorporated areas of Riverside County were allocated 30,303 dwelling units, for an unincorporated population of approximately 296,000. This total unit allocation was larger than any other jurisdiction received within the SCAG region (except the City of Los Angeles, which had 82,002 allocated units with a population of over 4 million). In comparison, Los Angeles County (unincorporated) was allocated 30,145 total dwelling units (with an unincorporated population of 1,052,000), while San Bernardino County was allocated 39 units (with an unincorporated population of 311,000 - similar to Riverside County).

In 2015, the County undertook a major planning effort to update our Housing Element in order to meet our 5<sup>th</sup> Cycle RHNA allocations. This resulted in rezoning about 1,000 parcels and thousands of acres of land to highest-density residential (20-40 dwelling units per acre), including mixed use areas, to meet our housing targets. This was a most difficult undertaking and further points out the challenges that the County will face in finding suitable land. In fact, to date, no developments have been approved or applied for that took advantage of the previous effort.

The County has participated in the RHNA process from the beginning by attending meetings and hearings and providing comments at most milestones of the process, which includes the submittal of five (5) formal comment letters sent to SCAG's Regional Council and RHNA Subcommittee that are attached hereto and incorporated herein by reference. In addition, the Interim County CEO, Juan C. Perez spoke at one of the RHNA public hearings and explained our opposition to a large allocation of 40,768 housing units for the reasons discussed below.

For the 6<sup>th</sup> Cycle RHNA, Riverside County is expected to generate a vast amount of dwelling units relative to its population. In fact, the unincorporated County is expected to generate nearly twenty-five percent (25%), or 40,768 units, of the County-wide unit allocations (cities included), which totals 167,177 housing units. The allocation of 40,768 units to the unincorporated area of the County is out of proportion to our ability to provide for urban-scale development.

### **Appeal Request**

**Riverside County is filing its appeal based on the criteria listed below, which is consistent to SCAG's guidelines and pursuant to state law (Government Code 65584.).**

*Comparable Jurisdiction:* As previously mentioned, San Bernardino is similar to Riverside County in population, but it is also similar in nature, development, land availability, growth, infrastructure, etc. However, San Bernardino County has almost 80% less units (approximately 8,813 housing units) than the 40,768 housing units allocated to the unincorporated Riverside County area. That means that a similar jurisdiction has over 30,000 less units than Riverside County. SCAG failed to apply the methodology consistently and must address this inconsistency.

*March Joint Powers Authority:* Previous versions of the Draft RHNA documents and calculator combined the County with March Joint Powers Authority (JPA). March JPA has its own land use authority within its boundary separated from the County's land use jurisdiction, as shown in their General Plan, found online at: [https://www.marchjpa.com/documents/docs\\_forms/general\\_plan\\_updt\\_011718.pdf](https://www.marchjpa.com/documents/docs_forms/general_plan_updt_011718.pdf) (incorporated herein by reference). If the County was allocated any units belonging to March JPA, the Final RHNA methodology was applied inappropriately, and SCAG failed to determine the County's share of RHNA allocation correctly.

*Infrastructure & Utilities:* The unincorporated areas of Riverside County lack the basic infrastructure and utilities, such as sewer and water systems, a developed roadway network, sidewalks, flood control facilities, dry utilities and frequent transit service, to support urban-type high-density housing that is needed to support a large allocation of units.

By its very nature, the unincorporated areas of Riverside County do not enjoy "city core" of urban centers, and thus does not possess urban-level infrastructure. Riverside County is home to the last four cities that were incorporated in California (Jurupa Valley in 2011, Eastvale in 2010, and Menifee and Wildomar in 2008). These cities are located along major transportation corridors such as I-15, SR-60, and constitute much of what previously the denser, semi-urbanized portions of the unincorporated areas of the County. The unincorporated areas of the County that remain are mostly rural in nature.

There are no commuter rail stations located in the unincorporated areas of Riverside County, and no commuter rail stations anywhere, whatsoever, in the Coachella Valley, whether in incorporated cities or the unincorporated areas. There are few dense employment centers within the unincorporated areas of

Riverside County. Any development that occurs within Riverside County has to “pay its own way” for infrastructure. Often, projects incur significant costs to connect to sewer and/or water service miles away, or expand inadequate roads, making it extremely challenging to provide non-market rate housing in a fiscally achievable way. In addition, the County only has control of transportation and flood infrastructure, and all other infrastructure, utilities and services are provided or controlled by dozens of special districts, purveyors, or agencies.

As such, mandating higher density urban-level development by allocating **40,768** housing units in areas that lack the basic infrastructure to support it will cause additional strain on the already over-burdened existing infrastructure, and on our existing unincorporated facilities. The County has relayed this basic factor to SCAG through countless opportunities, and the RHNA allocation still does not appear to incorporate such planning factors. Therefore, SCAG failed to consider information provided within comments or during prior allocations.

*Greenhouse Gas (“GHG”)/Climate Action Plan:* Further, Riverside County recently updated its Climate Action Plan, which can be accessed at:

[https://planning.rctlma.org/Portals/14/CAP/2019/2019 CAP Update Full.pdf](https://planning.rctlma.org/Portals/14/CAP/2019/2019%20CAP%20Update%20Full.pdf) and is incorporated herein by reference. The County will be challenged to meet 2030 and 2045 GHG reduction targets even without having to absorb additional vehicles miles travelled to accommodate housing, which for the foreseeable future will likely be further from existing and planned job centers because of the sheer size of the RHNA allocation for Riverside County.

**Sixth Cycle Regional Housing Needs Assessment (RHNA) Appeal Request Form**  
*All appeal requests and supporting documentation must be received by SCAG October 26, 2020, 5 p.m.*  
*Appeals and supporting documentation should be submitted to [housing@scaq.ca.gov](mailto:housing@scaq.ca.gov).*  
*Late submissions will not be accepted.*

Date: 10/26/20 Jurisdiction Subject to This Appeal Filing: County of Riverside  
*(to file another appeal, please use another form)*

Filing Party (Jurisdiction or HCD)  
County of Riverside

Filing Party Contact Name: Robert Flores Filing Party Email: RFlores@rivco.org

**APPEAL AUTHORIZED BY:**

Name: Charissa Leach, Interim TLMA Director

**PLEASE SELECT BELOW:**

- Mayor
- Chief Administrative Office
- City Manager
- Chair of County Board of Supervisors
- Planning Director
- Other: Agency Director

**BASES FOR APPEAL**

- Application of the adopted Final RHNA Methodology for the 6<sup>th</sup> Cycle RHNA (2021-2029)
- Local Planning Factors and/or Information Related to Affirmatively Furthering Fair Housing (See Government Code Section 65584.04 (b)(2) and (e))
  - Existing or projected jobs-housing balance
  - Sewer or water infrastructure constraints for additional development
  - Availability of land suitable for urban development or for conversion to residential use
  - Lands protected from urban development under existing federal or state programs
  - County policies to preserve prime agricultural land
  - Distribution of household growth assumed for purposes of comparable Regional Transportation Plans
  - County-city agreements to direct growth toward incorporated areas of County
  - Loss of units contained in assisted housing developments
  - High housing cost burdens
  - The rate of overcrowding
  - Housing needs of farmworkers
  - Housing needs generated by the presence of a university campus within a jurisdiction
  - Loss of units during a state of emergency
  - The region's greenhouse gas emissions targets
  - Affirmatively furthering fair housing
- Changed Circumstances (Per Government Code Section 65584.05(b), appeals based on change of circumstance can only be made by the jurisdiction or jurisdictions where the change in circumstance occurred)

**FOR STAFF USE ONLY:**

Date: \_\_\_\_\_ Hearing Date: \_\_\_\_\_ Planner: \_\_\_\_\_

